

RESOLUTION NO. 2024-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN AN AFFORDABLE HOUSING AGREEMENT BETWEEN THE CITY OF BRENTWOOD AND TRUMARK HOMES FOR TRAILSIDE (SUBDIVISION 9610) AND SUCH OTHER DOCUMENTS AS MAY BE NEEDED TO COMPLETE THE TRANSACTION

WHEREAS, on April 28, 2020, the City Council adopted Ordinance 1014, an Ordinance of the City Council of the City of Brentwood approving an amendment Affordable Housing Program, which became effective on May 28, 2020; and

WHEREAS, on July 26, 2022, the City Council adopted Ordinance 1041, an Ordinance of the City Council of the City of Brentwood furthering amending Municipal Code Chapter 17.725 that establishes an Affordable Housing Program; and

WHEREAS, developments with complete applications prior to the adoption of Ordinance 1041 are subject to the previous affordable housing ordinance (Ordinance 1014); and

WHEREAS, the application for the Trailside (Subdivision 9610) project was deemed complete on May 19, 2022, and is therefore subject to the previous affordable housing Ordinance (Ordinance 1014), which imposes a 10% affordable housing obligation; and

WHEREAS, under Ordinance 1014, the City's affordable housing program required developers of residential developments of five (5) or more lots to fulfill an affordable housing obligation of 10% of the total number of dwelling units as affordable units; and

WHEREAS, a Condition of Approval for Subdivision 9610 requires Trumark Homes (the "Developer") to comply with the City of Brentwood Affordable Housing Program; and

WHEREAS, on August 19, 2024, the Land Use and Development Committee (LUDC) reviewed the affordable housing obligation for Subdivision 9610, which required six (6) affordable units to be built; and

WHEREAS, the Developer will provide six (6) affordable units: two (2) units for moderate-income households, two (2) units for low-income households and two (2) units for very low-income households; and

WHEREAS, the City Council has elected for the Developer to satisfy their affordable housing obligation by building the six (6) affordable duet units, and selling the units to income qualifying families.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brentwood does hereby approve and authorize the City Manager to execute:

- 1) An Affordable Housing Agreement with Trumark Homes, in a form substantially similar to that attached hereto, subject to minor revisions approved by the City Attorney;
- 2) The exhibits attached to the affordable housing agreement, subject to minor revisions approved by the City Attorney; and
- 3) Such other documents as may be required to ensure the transfer of the affordable units in accordance with the terms of the Affordable Housing Agreement and subsequent compliance therewith.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on the 24th day of September 2024 by the following vote: